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Crime prevention and criminal justice

Strengthening the Terrorism Prevention Branch of the Secretariat

Report of the Secretary-General

Addendum**

Summary

The Commission on Crime Prevention and Criminal Justice, in its resolution 11/1 of 25 April 2002, requested the Executive Director of the Office for Drug Control and Crime Prevention to report the proceedings of the symposium entitled "Combating international terrorism: the contribution of the United Nations" and the views of the Commission on Crime Prevention and Criminal Justice thereon to the Secretary-General for his consideration in finalizing his report on the implementation of General Assembly resolution 56/123 of 19 December 2001. The Commission, at an inter-sessional meeting held on 12 July 2002, considered a draft report on the proceedings of the symposium, submitted by the Executive Director. A finalized report of the proceedings was subsequently prepared, reflecting the views provided by the inter-sessional meeting of the Commission.

Reference to the symposium is made in paragraph 5 of the parent document (A/57/152) and in paragraph 28 of document A/57/153. The present addendum contains the Chairman's closing summary of proceedings of the symposium and the concluding summing-up of the views of the Commission by the Chairman.

* A/57/150.

** An earlier submission of this document was not possible due to the fact that the inter-sessional meeting of the Commission on Crime Prevention and Criminal Justice was held on 12 July 2002.

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I. Chairman's closing summary of proceedings of the symposium as contained in the report of the Executive Director of the proceedings of the symposium entitled "Combating International Terrorism: the Contribution of the United Nations", held in Vienna on 3 and 4 June 2002

1. At the closure of the symposium, the Chairman summarized the proceedings, reminding participants that the following points, inter alia, had been made in the course of the symposium.

A. Action against terrorism within the United Nations

2. Terrorism could only be eradicated through the participation of all members of the international community in a comprehensive global effort under the auspices of the United Nations. The fight against terrorism had become a matter of the highest priority since the attacks of 11 September 2001 and concrete measures had been taken at the political and operational levels. However, to face the sustained, global threat of terrorism, a multidisciplinary, effectively coordinated, global response was required. Actions against terrorist groups themselves, measures to deny sanctuary to terrorists and preventive action to deny their claim to legitimacy should be considered. Implementing such measures required strong political commitment and strengthened international cooperation. The phenomenon of terrorism, however, could not be associated with any religion, nationality or ethnic background.

3. The United Nations had a major role to play in setting norms, advocacy and developing policy recommendations, as well as in providing technical advice and assistance. Monitoring the implementation of Security Council resolution 1373 (2001), through the work of the Counter-Terrorism Committee of the Security Council was a key aspect of United Nations initiatives to combat terrorism. However, a well-coordinated counter-terrorism programme of activities within the United Nations system was needed to enhance the efficiency of the strategy pursued by the international community against terrorism, as well as to strengthen cooperation at the subregional, regional and global levels. Improved global coordination in the fight against terrorism was essential in order to prevent potential or actual terrorists from finding safe havens. The United Nations was called upon to exert efforts for the peaceful settlement of long-standing political conflicts which endangered international peace and security and to address situations marked by socio-political injustices and repression as well as the denial of other legitimate rights of people. The United Nations also had a role to play in forging a long-term strategy to eliminate those circumstances which provided a pretext for terrorism so as to deal effectively with this international threat.

B. Thematic areas

United Nations conventions and protocols

4. In reviewing the implementation of the United Nations conventions and protocols related to terrorism, it was held that consideration should be given to measures aimed at the effective prevention and combating of terrorism, as well as adequate response mechanisms in the event of a terrorist attack. The financing of terrorism was discussed. It was noted that profits laundered from drug trafficking sustained both the underground arms trade and terrorist activities, and enabled networks developed for one illicit purpose to diversify into others. In the field of drug control, a share of confiscated proceeds was sometimes directed at national and international efforts to address the problem. A similar approach might be followed with respect to terrorism, with a portion of funds confiscated in the implementation of Security Council resolution 1373 (2001) used for funding international and national efforts to combat terrorism.

5. The current legal framework should be strengthened by, inter alia, promoting the adherence of all Member States to the existing international instruments. It was noted that most of the instruments dealing with terrorism did not have a mechanism to monitor compliance. That issue was of critical importance and required urgent consideration. In that context, the urgency of concluding a comprehensive convention on international terrorism was emphasized. Existing gaps in the international legal framework also needed to be addressed. Several Governments required technical assistance for the effective implementation of the international instruments.

6. Given the links between terrorism, organized crime, drug trafficking and money-laundering, initiatives to counter any of those challenges contributed to efforts to combat the other related criminal activities. For example, the United Nations Convention against Transnational Organized Crime was an important instrument in the arsenal of law enforcement agencies in targeting organized criminal activities carried out by terrorists. Synergies should be encouraged between the different bodies involved in combating those activities, and best practices and technical assistance programmes should be promoted.

Regional and subregional mechanisms and experiences

7. The symposium highlighted the importance and relevance of regional and subregional instruments, plans of action, codes of conduct, cooperative arrangements, experiences and initiatives and their contribution to global action against terrorism. Best practices and lessons learned from the experiences of regional and subregional organizations could make a significant contribution to the global efforts to prevent and combat terrorism.

Contribution of the Office for Drug Control and Crime Prevention to United Nations efforts to prevent and combat terrorism

8. The Office should be an integral part of United Nations efforts to prevent and combat terrorism, with the focus being on the following three major fields of activity: first, promoting international norms and standards; secondly, actively advocating relevant measures ranging from basic rule-of-law reforms to more specific measures to prevent terrorism; and, thirdly, the provision of technical advice and assistance to States at their request. This activity should be carried out within the technical assistance mandate of the Office in coordination with the Office of Legal Affairs.

9. The mandates of the Centre for International Crime Prevention relating to the prevention and combating of terrorism were stressed, particularly in the light of General Assembly resolutions 56/123 of 19 December 2001, 56/253 of 24 December 2001 and 56/261 of 31 January 2002, as well as resolution 11/1 and draft resolution VIII adopted by the Commission on Crime Prevention and Criminal Justice at its eleventh session. While there was a multitude of mandates, there was also a critical shortage of resources. That situation should be urgently remedied by an increase in the regular budget of the United Nations allocated to the Centre, as well as an increase in extrabudgetary resources.

10. The Office had the expertise to provide the additional assistance needed by requesting countries to address the ancillary crimes that supported, or emanated from, organized crime, terrorism and drug trafficking. Through the Global Programme against Money-Laundering, the Office was already active in providing assistance to Member States in combating terrorist financing, while acting within its mandates emanating from the conventions against drug trafficking and organized crime. It was suggested that the Office for Drug Control and Crime Prevention, within its mandate, should carry out a study on the links between money-laundering practices and the funding of terrorism.

Role of the Office for Drug Control and Crime Prevention and the Centre for International Crime Prevention in the implementation of the international conventions and protocols relating to terrorism and in providing technical assistance

11. The Centre has an essential role to play in assisting Governments in ratifying and implementing the 12 international conventions and protocols relating to terrorism and in strengthening the capacities of Governments against terrorism. Existing expertise in the Office for Drug Control and Crime Prevention, such as that gained through the promotion of the United Nations Convention against Transnational Organized Crime, should be applied to the area of ratification and implementation of the existing international instruments against terrorism, in close coordination with all relevant entities. That would include the preparation of model laws, providing legislative guides for States and advising on legislative changes. In addition, the Centre could assist States by providing advice on laws aimed at fighting domestic and international terrorism, elaborating and providing implementation kits and training courses for law enforcement officers, enhancing procedures for international cooperation, including in the areas of judicial and law enforcement cooperation, and giving early warning of terrorist threats. The planning and delivery of technical assistance by the Centre should be

carried out in coordination with other United Nations bodies concerned.

12. Support was expressed for a joint project of the Centre and the Office to promote the ratification and implementation of the international conventions and instruments on terrorism for which the Secretary-General is the depository, with particular attention to those instruments that deal with terrorism on a more comprehensive basis.

13. Technical assistance activities are essential for the implementation of Security Council resolution 1373 (2001). The expertise and experience of the Office in delivering a portfolio of technical assistance in combating drug trafficking, organized crime and money-laundering should be available for use in coordination with, and as a complement to, the work of the Counter-Terrorism Committee of the Security Council.

14. The Office was invited to launch a global programme, in the field of technical assistance, to prevent and combat terrorism, modelled on other global programmes conducted by the Office, such as those dealing with money-laundering, trafficking in human beings and corruption. The new global programme should establish clear and realistic objectives, outcomes to be achieved and performance indicators, as well as a financial review mechanism.

II. Concluding summing-up of the views of the Commission by the Chairman, as a result of the inter-sessional meeting held in Vienna on 12 July 2002

15. **The Commission takes note of the symposium and expresses its appreciation to the Government of Austria for its initiative in initiating and supporting the symposium and for the pledge made, as well as to those Governments that also made pledges to the United Nations Crime Prevention and Criminal Justice Fund, to support the efforts of ODCCP in preventing and combating terrorism, and to all participating countries.**

16. **The Commission takes note of the report of the proceedings of the symposium prepared by the Executive Director.**

17. **The Commission invites the Secretary-General to consider the report of the proceedings of the symposium when finalizing his reports on the implementation of General Assembly resolutions 56/123 and 56/253, as well as the recommendations of the Commission made at its eleventh session.**

18. **The Commission invites the General Assembly to give due attention to, and to take appropriate action on, the report of the Secretary-General to strengthen ODCCP to enable it to carry out its mandate approved by the General Assembly.**

19. **The Commission considers that the Executive Director of ODCCP should take into account, where appropriate, the proceedings of the symposium in his efforts to strengthen the operational capacity of ODCCP in preventing and combating terrorism, in such a way as to complement the work of the Counter-Terrorism Committee of the Security Council, in consultation with the Office of Legal Affairs.**